



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of

JONATHAN S. STAMLER

Patent Application No. 09/757,610

Filed: January 11, 2001

For: INHIBITING GS-FDH TO MODULATE
NO BIOACTIVITY
REPLETION OF GSNO

Group Art Unit: 1653

Examiner: Roy R. Teller

RESPONSE TO ONE-MONTH ACTION

Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the one-month action of August 26, 2002.

Please enter the following election.

ELECTION

The undersigned provisionally elects Group II, with traverse.

Remarks

Restriction is required to one of Group I (Claims 1-7 and 15-20) and Group II (Claims 8-14).

It is noted that Claims 8-14 are not restricted to cancerous diseases but rather to pathologically proliferating cells which can be pathologically proliferating microbes or pathologically proliferating mammalian cells including cancer cells or cells causing restenosis. See the application as filed at page 3, lines 10-14 and page 19, lines 10, et seq. See also Examples XV, XVI, XVII, XVIII.

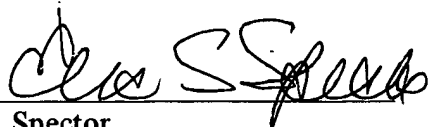
The undersigned confirms the provisional election on 8/15/02 by telephone of Group II (Claims 8-14), with traverse. Traverse is on the basis that all claims should have the same area of search. Thus the groups do not have independent classification and the "independent" requirement of 35 U.S.C. 121 is not met.

Withdrawal of the restriction requirement and examination of all the claims is requested.

Respectfully submitted,

JONES, TULLAR & COOPER, P.C.

By: _____


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Date: August 30, 2002